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Attorney for Defendant  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

SANAM ELYASSI,

Plaintiff,

vs.

UNITED STATES OF AMERICA;  
TRIPLER ARMY MEDICAL CENTER;  
CHRISTOPHER KLEM, M.D.; JARED  
MCKEAN THELER, M.D.; JOHN DOES  
1-10; JANE DOES 1-10; DOE  
BUSINESS ENTITIES 1-10; DOE  
GOVERNMENTAL ENTITIES 1-10;  
and DOE DEFENDANTS 1-10,

Defendants.

CIVIL NO. 12-00356 BMK

STIPULATION FOR PARTIAL  
DISMISSAL

STIPULATION OF PARTIAL DISMISSAL

It is hereby stipulated by and between the parties above-named, by and through their respective counsel undersigned, pursuant to Rule 41(a)(1)(ii), Federal Rules of Civil Procedure that the parties hereby agree to dismiss the allegations against the TRIPLER ARMY MEDICAL CENTER; CHRISTOPHER KLEM, M.D.; JARED

MCKEAN THELER, M.D.; JOHN DOES 1-10; JANE DOES 1-10; DOE BUSINESS ENTITIES 1-10; DOE GOVERNMENTAL ENTITIES 1-10; and DOE DEFENDANTS 1-10 in this lawsuit, without prejudice.

This dismissal shall be converted to a dismissal with prejudice upon a final settlement or judgment on the remaining claims herein. However, this dismissal is contingent and conditioned upon the mutual understanding of the parties that the United States will make no argument, and shall not introduce evidence, that the TRIPLER ARMY MEDICAL CENTER; CHRISTOPHER KLEM, M.D.; JARED MCKEAN THELER, M.D.; JOHN DOES 1-10; JANE DOES 1-10; DOE BUSINESS ENTITIES 1-10; DOE GOVERNMENTAL ENTITIES 1-10; and DOE DEFENDANTS 1-10 is liable or responsible for the remaining claims alleged herein or contest that the United States is the proper Defendant in this action.

DATED: Honolulu, Hawaii, \_\_\_\_\_.

/s/ Christopher A. Dias

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CHRISTOPHER A. DIAS, ESQ.  
Attorney for Plaintiff

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SANAM ELYASSI, et al. v. United States, et al.; Civil No. 12-00356 BMK; "STIPULATION OF PARTIAL DISMISSAL"

FLORENCE K. NAKAKUNI  
United States Attorney  
District of Hawaii

/s/ Harry Yee

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HARRY YEE  
Assistant U.S. Attorney

Attorneys for Defendant  
UNITED STATES OF AMERICA

APPROVED AND SO ORDERED:

DATED: Honolulu, Hawaii, October 10, 2012.



/S/ Barry M. Kurren  
Barry M. Kurren  
United States Magistrate Judge

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